

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	Case No. 2:22-cv-203-JRG
vs.)	
)	JURY TRIAL DEMANDED
MICRON TECHNOLOGY, INC.; MICRON)	
SEMICONDUCTOR PRODUCTS, INC.;)	
MICRON TECHNOLOGY TEXAS LLC,)	
)	
Defendants.)	
)	

**DECLARATION OF MICHAEL R. RUECKHEIM IN SUPPORT OF DEFENDANTS'
MOTION TO STRIKE EXPERT REPORT OF DR. BROGIOLI**

I am an attorney at the law firm of Winston & Strawn LLP, counsel of record for Defendants Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas LLC (collectively, "Micron") in the above captioned matter. I am a member in good standing of the State Bar of Texas. I provide this declaration in support of Micron's Motion to Strike Expert Report of Dr. Brogioli.

1. A true and correct copy of Dr. Brogioli's Opening Expert Report served on October 4, 2023 is attached as Exhibit A.

2. A true and correct copy of Appendix C (Materials Considered) to Dr. Brogioli's Opening Expert Report served on October 4, 2023 is attached as Exhibit B.

3. A true and correct copy of the Court's Order on Pretrial Motions and Motions in Limine from the case *Netlist, Inc. v. Samsung Elecs. Co., Ltd.*, 21-cv-00463-JRG (E.D. Tex.) (ECF No. 432) is attached as Exhibit C.

4. A true and correct copy of Netlist's document production with the beginning Bates number NL-MIC-203_00041942 is attached as Exhibit D.

5. A true and correct copy of excerpts from the deposition transcript of Mr. Chuck Hong is attached as Exhibit E.

6. A true and correct copy of excerpts from Netlist's infringement chart for U.S. Patent No. 8,787,060 served on September 8, 2022 is attached as Exhibit F.

7. A true and correct copy of excerpts from Netlist's infringement chart for U.S. Patent No. 9,318,160 served on September 8, 2022 is attached as Exhibit G.

8. A true and correct copy of July 9, 2023 email correspondence from Micron's counsel to Netlist's counsel is attached as Exhibit H.

9. Attached as Exhibit C is a true and correct copy of the parties' correspondence.

* * *

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on November 14, 2023, in Redwood City, California.

By: /s/ Michael R. Rueckheim
Michael R. Rueckheim